

THE STATE OF NEW HAMPSHIRE

UNITED STATES DISTRICT COURT 14-sp-101

FOR THE DISTRICT OF CONCORD

NEW HAMPSHIRE

PATRICK WALSH VS. CITY OF CONCORD, N.H.

U.S. DISTRICT COURT  
DISTRICT OF N.H.  
FILED  
2011 MAR -1 A 11:02

PRISONER'S NOTICE OF INTENT; COMPLAINT  
FOR DEPRIVATION OF CONSTITUTIONAL RIGHTS;  
By REASON OF; POLICE BRUTALITY AND EXCESS-  
IVE FORCE., UNDER COLOR OF LAW.

STATEMENT OF FACT'S :

Now come this complaintant;

Patrick Walsh, with claims a sergeant (Fallon) of the Concord  
NEW HAMPSHIRE Police Department, along with fellow patrolman  
Cook., maliciously beat, ASSAULT, KNEED, punched and or  
kicked (with KNEE)., in order to pull prisoner's (WALSH) wrist's  
out from beneath prisoner's stomach, to handcuff and effect the  
ARREST of; Patrick Walsh, on the Date of December 16<sup>th</sup>, 2011.

The complaintant contends the Aggressive and Illegal Action  
taken by a SERGEANT (and fellow Patrolman) of the Capitol of the State of  
NEW HAMPSHIRE (Concord N.H.), violates MR. WALSH's Constitu-  
tional Right's; to be "FREE AND SECURE IN HIS PERSON,"  
And "FREE FROM EXCESSIVE FORCE AND POLICE BRU-  
TALITY," by 2-officer's (one a sergeant) of this STATE'S  
CAPITOL (NEW HAMPSHIRE). - - - - That the OFFICERS  
acted knowingly, UNDER COLOR OF LAW., and with malice in-  
tent., as this same action, by OFFICER'S occurred on other oc-  
CA sion's; And or by other OFFICER'S.

MR. WALSH, contends he suffered a "MEDICAL CONDITION" (OR DISEASE), and that these OFFICER'S (SERGEANT FALLON and PATROLMAN COOK) Had A Duty; UNDER COLOR OF LAW, to PROTECT (WALSH) AND SERVE; WITH DUE DILIGENCE.

FURTHER-MORE; THESE OFFICER'S (SERGEANT FALLON + COOK) duty to (WALSH) PROTECT AND SERVE., is A SWORN OATH, UNDER COLOR OF LAW. - - - - PATRICK WALSH contends, these OFFICER'S VIOLATED their SWORN OATH; "TO PROTECT AND SERVE", when these OFFICER'S (singularly and then Jointly) used softening KNEE STRIKE'S, (numerous times and together; Jointly) which complaint<sup>ANT</sup> contends, is a tactical combat MANEUVER, that these OFFICER'S studied (AND PRACTICED) AT the Police Academy. - - - - That these "KNEE STRIKES", WERE PERPETRATED ON SOMEONE having a medical ATTACK OR medical condition. - - - - ONE OF THE OFFICER'S (PATROLMAN COOK) had RECEIVED AN OFFICIAL Dispatched call. This call WAS FROM A REPORT (CALLED IN) OF A PERSON who WAS STUMBLING and staggering., A PERSON who could be suffering from A medical condition OR EMERGENCY. - - - - BOTH THE OFFICERS; UNDER SWORN OATH AT CONCORD DISTRICT COURT; SAID WALSH WAS INCAPACITATED (DEC. 16<sup>th</sup> 2011) that day ON PHOENIX AVENUE., AND THAT THEY (both OFFICER'S) had SEEN WALSH; drinking AT the CLOCK TOWER; Eagle Square, EARLIER that day. - - - - This complaintant contends these 2 - OFFICER'S maliciously CAUSED bodily harm and injury to; WALSH, on DECEMBER 16<sup>th</sup> 2011, AS THE E.M.T.'S (EMERGENCY medical technician's; contracted for Concord N.H.) WERE ②

dispatched to Phoenix Avenue (or Concord Police Dept.)  
for injury WALSH suffered from, bodily injury.

Patrick WALSH, further contends that he was attacked first; assaulted by patrolman COOK, when the officer delivered a blow (strike) to WALSH, with the palm of the officer's hand, to the solar plex (center chest) of WALSH. ----- Complainant (WALSH) contends this is another tactical combat maneuver or m.m.a. (mixed martial art's) strike or blow; assault.

### DEFENDENT'S :

A) CHIEF OF CONCORD (N.H.), Police department; for the failure to properly train and supervise subordinate officer's, under Color of Law.

B) Sergeant Fallon; a sergeant, a superior officer within the Concord Police department. ----- This defendant (Patrolman COOK's supervisor) failed Patrick WALSH, by not stop-ping the beating (on WALSH) initiated by Patrolman COOK. ----- Instead ..... Sergeant Fallon; joined in, in the uncounted (on Police Report) number of KNEE (softening KNEE STRIKES) STRIKE (mentioned within Police Report) ASSAULTS, to the mid-section, (torso) Right-side Rib-Cage AREA of Complainant WALSH's body. ----- This defendant Holds a supervisory capacity, sworn oath to protect and serve, and owed Patrick WALSH a duty of care, not to use Police Brutality or Excessive Force against his (WALSH) person. ----- This officer; Sergeant Fallon, took a sworn oath to protect and serve, this officer testified (under oath) Patrick WALSH WAS incapacitated, at trial.

in concord district court. ----- This officer had a duty of CARE, to place WALSH in protective custody. And EARLIER, when the officer saw WALSH drinking at Eagle Square, by the CLOCK TOWER, and then again, upon the confrontation at Phoenix Avenue. ----- The OFFICER (SERGEANT FALLON) had a SUPERVISOR's duty (it's part of his Job) to teach and reprimand his subordinate officer's, which this officer (FALLON) failed to do (DEC. 16<sup>th</sup> 2011). ----- SERGEANT FALLON failed his duty of CARE, to protect and SERVE; Patrick WALSH, from the Initial Assaults (on WALSH) by patrolman Cook. Instead of issue-ing directive order's and or guidance to officer Cook, this Ranking OFFICER of the Concord (N.H.) Police Dept., joined in, in the Police Attack, on Patrick WALSH.

Defendent; Patrolman Cook, who first initiated the First Blow (Assault) upon (WALSH). A palmed strike to MR. WALSH's STERNUM (SOLAR PLEX), A combative strike, taught at the Police Academy. ----- At that point, within the brutality; when patrolman Cook struck MR. WALSH; First Blow, WALSH contends he had Right's to defend himself, by virtue of the "STAND YOUR GROUND LAW".

THE Palmed STRIKE (ASSAULT) to WALSH's STERNUM (SOLAR PLEX); was initiated before patrolman Cook ordered; STOP!, you ARE UNDER ARREST. ----- That OFFICER Cook perpetrated softening KNEE STRIKE's to WALSH's Rib-cage and FORE-head AREA, without CARE of CAUSE-ing SERIOUS bodily harm or injury, to WALSH. ----- That Patrolman Cook enforced softening KNEE STRIKE's on WALSH individually.,

and then jointly with SERGEANT FALLON, who is OFFICER COOK'S SUPERVISORY OFFICER. - - - - That the ACTIONS by these 2 - Concord Police OFFICER'S, CAUSED bodily injury to Complainant, in that WALSH suffered from a gash ABOVE his LEFT EYE (1 1/4 inches). Complainant WALSH, further suffered from a black eye AND contusions (5) on his upper fore-head AREA. - - - - Though the gash ABOVE PRISONER'S LEFT EYE, CAUSED massive bleeding (EMERGENCY medical TECHNICIANS - WERE CALLED). - - - - Complainant's injury to his Rib-cage, WAS the hidden injury that CAUSED WALSH, immense pain (for WEEKS)..... THE SO CALLED; "RUBBER-NOSE-TECHNIQUE".

That the Concord Police OFFICER'S; SERGEANT FALLON and Patrolman Cook, ACTED with; "DELIBERATE INDIFFERENCE", to Patrick WALSH, and CAUSED bodily harm and or injury to the Complainant, on the DATE: DECEMBER 16<sup>th</sup>, 2011, within the City of Concord (N.H.), PHOENIX-AVENUE.

LEGAL ASPECT'S : Complainant REQUIRES A JURY TRIAL, on ALL triable issue'S of; NEW HAMPSHIRE LAW. JURY DEMAND, is stated.

Patrick WALSH contends his claim (PRIMA FACIE) for relief, is relied on and in relative conjunction with CASE-LAW presently ruled on, within the United States District Court; Boston MASSACHUSETT'S. THE CASE description: United States vs. Coughlin (2-20-2014; on or about) THE HEADLINE: Ex-OFFICER (SERGEANT) of Plymouth MASSACHUSETT'S Police Dept., Guilty in ATTACK ON

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the suspect.

----- Complainant (WALSH) contends his Right's ; by VIRTUE of the DUE PROCESS + Equal Protection Clause of the United States Constitution's ; 14<sup>th</sup> Amendment, and further, that MR. WALSH's Right's were deprived and infringed upon, by the 2 - Concord Police Officer's (one who's a Sergeant) and by virtue of the New Hampshire State Constitution's ; ARTICLE 2 and 4. ----- That the OFFICER's ; "FALSE-LY CHARGED And IMPRISONED COMPLAINANT ; WALSH" ! ----- This Prisoner was suffering from a medical condition, Attack, and or disease, caused by lack of sleep (6-days) and Alcohol consumption ; "BLACK-OUT-SYN-DROME". ----- Both the OFFICER's "testified, under sworn oath ; WALSH was incapacitated". ----- Patrick WALSH contends the charge (Criminal) in and of their-self's ; ARE FALSE-CHARGES.

Complainant was suffering a mental incapacity, and or disease, and was not AWARE of his (WALSH's) surrounding's, December 16<sup>th</sup>, 2011, on Phoenix Avenue, Concord N. H.

### PRAYER'S FOR RELIEF :

Complainant Prays that this Honorable Court, bring swift and prompt Judicial Punishment (United States vs. Coughlin) to make example of the 2 - described OFFICER's (Criminally and Civilly), and because ; "Quality Police-ing cannot exist if citizen's cannot Trust, that the Police ; who ARE sworn to (Protect and Serve) Protect Them ; USE EXCESSIVE FORCE ; A-  
gainst them, ! ----- MR. WALSH, pray's further, that he be immediate ly released from the bonds which confine him, As the Charge, is truth fully, A FALSE CHARGE.

Complainant (Patrick S. Walsh) further prays, is that the Officer's be immediately suspended without pay, and charged (Federally) criminally, though also civilly, so the Complainant can recoup; Compensatory and punitive damages, for the pain and suffering and Emotional distress; or duress from the mental torture, the 2- (Capitol of the State of New Hampshire) Police Officer's, who were sworn-in; "TO PROTECT AND SERVE" (Walsh) and with Due Diligence, deprived Walsh Right's. RELARD'S TO CIVIL ASPECTS:

The Complainant demands a Civil Trial, by a Jury of Walsh's peer's, and in the State of New Hampshire.

JUDGEMENT: Upon judgement entering in the Complainant's favor; and after a Jury Trial, in the State of N.H., Patrick Walsh requests that compensatory damages be paid to him, in the amount of One Million United States dollars, for any physical or psychological therapeutic remedies which may be needed by (Walsh) in the near future.

That punitive damages be paid to Patrick S. Walsh, for his pain and suffering and mental distress or duress and torture, caused by 2-Concord Police (et, al.) Officer's, who assaulted and caused bodily harm and injury to Walsh, though also deprived the prisoner (Walsh); BASIC-HUMAN-RIGHTS.

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of (8) That punitive damage's be paid to; Patrick S. Walsh, in the sum of; 2.8 MILLION UNITED STATES DOLLAR'S, so that public trust can again be restored with-in the CITY OF CONCORD, NEW HAMPSHIRE, the Capitol of

this; "LIVE FREE OR DIE" - state; NEW Hampshire.

JURISDICTION:

Jurisdiction of this matter, is gained, by virtue of; THE UNITED STATES CONSTITUTION'S, 14<sup>th</sup> AMENDMENT'S EQUAL PROTECTION + DUE PROCESS CLAUSE, with-in said document.

Jurisdiction is further gained, by virtue of; THE NEW HAMPSHIRE STATE CONSTITUTION and Bill of Rights there-of. Jurisdiction is also gained by; § 1343 (3), of the UNITED STATES CODE.

Complainant; Patrick S. WALSH, states that the deprivation's of his Constitutional Rights, by the Concord Police Officer's; Sergeant Fallon and Patrolman Cook, occurred on Phoenix Ave., Concord N.H. 03301.

Patrick WALSH, states that the Concord Police have beat, and assaulted him on other occasion's, within WALSH's prior dealing's with; Concord Police Department.

THANK YOU FOR YOUR TIME SPENT ON THIS MATTER!

Sworn to and Signed  
under the Oaths and  
Penalties, of Perjury  
on this Day:

MARCH 4<sup>th</sup>, 2014

S/ Patrick Walsh Pro-Se  
P.O. Box 14  
Concord, N.H. 03302

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